



**JON S. CORZINE**  
*Governor*

## *New Jersey Office of the Attorney General*

Division of Consumer Affairs  
New Jersey State Board of Architects  
124 Halsey Street, 3<sup>rd</sup> Floor, Newark, NJ 07102



**ANNE MILGRAM**  
*Attorney General*

**STEPHEN B. NOLAN**  
*Acting Director*

**Mailing Address:**  
P.O. Box 45001  
Newark, NJ 07101  
(973) 504-6385

July 24, 2007

Business Name  
Attn: Name  
Address  
City, State, Zip

### Re: CERTIFICATE OF AUTHORIZATION APPLICATION

Dear (Name):

Enclosed is an application you requested for a Certificate of Authorization to practice architecture as a Limited Liability Company (L.L.C.) or a General Business Corporation pursuant to N.J.A.C.13:27-4.8. Please complete the application in its entirety and return it with a check or money order payable to the "N.J. Board of Architects" in the amount of \$100. Please note that this is a nonrefundable application fee. (Applicants should understand that if the application fee is paid with a personal check and the check is returned by the bank due to insufficient funds, the next step in the certification process will be delayed.)

If the application is approved, an additional fee (see N.J.A.C. 13:27-4.11(b)) will be requested to cover the certificate fee for the current biennial period ending January 31st (an even-numbered year).

There are two types of Certificates: One authorizes the corporation to provide architectural services only, and the other authorizes the corporation to provide architectural and closely allied professional services. The latter requires that a Certificate of Authorization also be obtained from the State Board of Professional Engineers and Land Surveyors. The term "closely allied professional" means, and is limited to, licensed architects, professional engineers, land surveyors, professional planners, certified landscape architects and certified interior design services.

A corporation established pursuant to the Professional Service Corporation Act of New Jersey (N.J.S.A. 14A:17-1 et seq.) does not have to obtain a Certificate of Authorization from this Board to provide architectural services in a corporate form.

In applying for a Certificate of Authorization, an applicant shall submit to the Board a completed application form which shall include the following:

- (a) The name and address of the Limited Liability Corporation or corporation and its satellite office;
- (b) The names, addresses, license numbers and signature of all officers, board members, directors, principals and any licensees who shall be in responsible charge of the practice of architecture through the LLC or corporation;

## Certificate of Authorization

- (c) The names, addresses, license numbers, and amount and percentage of ownership interest of all stockholders of the L.L.C. or corporation who are licensees of the Board or who are closely allied professionals;
- (d) The names, addresses, and amount and percentage of ownership interest of the L.L.C. or corporation who are not licensees of the Board nor closely allied professionals; and
- (e) The name and address of the L.L.C.'s or corporation's registered agent for service of process in New Jersey.
- (f) A certified copy of the Certificate of Formation or Incorporation for an L.L.C. or corporation created in this State or, for an L.L.C. or corporation created outside New Jersey, a certified copy of a Certificate of Authority issued by the Division of Revenue in the New Jersey Department of the Treasury and a certified copy of the Certificate of Formation or Incorporation issued by the home state; and
- (g) A copy of the most current annual report filed with the Division of Revenue in the New Jersey Department of the Treasury.

### RESPONSIBLE CHARGE - N.J.S.A. 45:3-1.1(1).

The corporation shall designate at least one architect licensed in this State whose name shall appear on the Certificate of Authorization as the architect in responsible charge.

“Responsible charge” means the rendering of regular and effective supervision by a competent licensed architect to those individuals performing services which directly and materially affect the quality and competence of architectural services rendered by the licensee. A licensee engaged in any of the following acts or practices will be deemed not to have rendered regular and effective supervision:

- (1) The regular and continuous absence from principal office premises from which professional services are rendered, except for performance of field work or presence in a field office maintained exclusively for a specific project;
- (2) Failure to personally inspect or review the work of subordinates where necessary and appropriate;
- (3) The rendering of a limited, cursory or perfunctory review of plans for a building or structure in lieu of an appropriate detailed review;
- (4) Failure to personally be available on a reasonable basis or with adequate advance notice for consultation and inspection where circumstances require personal availability.

## Certificate of Authorization

### ARCHITECTURAL SERVICES "ONLY"

To qualify for a Certificate of Authorization to provide architectural services only, at least two-thirds of the L.L.C.'s or corporation's directors must be licensed architects and at least two-thirds of the ownership interest must be owned by licensed architects.

### ARCHITECTURAL AND CLOSELY ALLIED PROFESSIONAL SERVICES

To qualify for the issuance of this type of certificate, there are four requirements:

- At least two-thirds of the Directors must be licensed architects and closely allied professionals;
- At least one Director must be a licensed architect;
- At least two-thirds of the ownership interest must be owned by licensed architects or closely allied professionals; and
- A minimum of 20 percent of the shares must be owned by licensed architects.

Enclosed, please find copies of the New Rules and the instruction sheet for your information and guidance. If you need further clarification, please feel free to contact this office at (973) 504-6385.

Very truly yours,

N. J. STATE BOARD OF ARCHITECTS

Beverly A. Rankin  
Management Assistant

Enclosures

## CERTIFICATE OF AUTHORIZATION INSTRUCTION SHEET

- (1) The Application is an interactive form, click inside a text field and type the appropriate information.
- (2) For more space, use a separate sheet(s).
- (3) Enclose a check or money order for \$100.00 made payable to the "N.J. State Board of Architects." Please note that this is a nonrefundable application fee.
- (4) A certificate of Formation or Incorporation for an L.L.C. or corporation created in this State or, for an L.L.C. or corporation created outside New Jersey, a certified copy of a Certificate of Authority issued by the Division of Revenue in the New Jersey Department of the Treasury, and a certified copy of the Certificate of Formation or Incorporation issued by the home state.
- (5) A copy of the most current annual report filed with the Division of Revenue in the New Jersey Department of the Treasury.
- (6) Please affix a corporate seal where indicated.
- (7) A notary's seal is required where indicated.
- (8) Certificates of Authorization are renewed biennially. You will receive an invoice prior to the expiration date.

For further information, please contact the Division of Revenue in the New Jersey Department of the Treasury at (609) 292-9292, to ask about how you may obtain a Certificate of Formation or Incorporation.

\*Please note that any application that is **NOT** signed, sealed, dated, or does **NOT** include a check or money order to cover the nonrefundable application fee will be returned to the sender.

New Jersey State Board of Architect's Web site  
<http://www.njconsumeraffairs.gov/nonmedical/architects.htm>



# New Jersey Office of the Attorney General

Division of Consumer Affairs  
New Jersey State Board of Architects  
124 Halsey Street, 3rd floor, P.O. Box 45001  
Newark, New Jersey 07101  
(973) 504-6385

## CHECK ONE:

- ☐ Architectural Services only  
☐ Architectural and Closely Allied Professional Services\*

## Certificate of Authorization Application

Pursuant to N.J.S.A. 45:3-18

\* You must complete the "Details of Ownership" section on the reverse side of this page if you offer Building Design Services pursuant to N.J.S.A. 45:4B-8. You must also obtain a "Certificate of Authorization" from the State Board of Professional Engineers and Land Surveyors.

Note: Print clearly or use a typewriter. If any space is inadequate for any portion of this form, use a separate sheet of paper.

Name and address of the corporation		Contact person's phone no. (include area code)	Date of this application	
Address of the principal office or registered agent in New Jersey		I have attached the required certified copy of the Certificate of Incorporation/Authority/Formation from the N.J. Dept. of the Treasury. <input type="checkbox"/> Yes <input type="checkbox"/> No		
Addresses of the satellite offices in New Jersey where professional services will be offered or provided (each office must be sequentially numbered beginning with 2; as in 2, 3, 4, etc.). 2. _____ 3. _____ 4. _____				
Name and license number of the architect in responsible charge in the principal office. AI				
Name and license number of the architect in responsible charge in each additional office. Name License number 2. _____ 3. _____ 4. _____				
Every person in responsible charge listed below must include the numeric identifier of his or her work location following his or her name in the column below. List all personnel in responsible charge who act on behalf of the corporation as architects or professional engineers.		I hereby certify that I am familiar with the laws and regulations governing the practice of architecture in New Jersey and the definition of "responsible charge" therein, and my responsibility under this definition.		
Name	N.J. license number Architect Prof. Engineer	Home address	X	Signature
( )				
( )				
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Any changes in the above information must be reported to the Board within 30 days after such changes become effective.				
Under oath, I declare that the foregoing statements, to the best of my knowledge and belief, are true and made in good faith.				
Print the name of the Chief Executive Officer		Signature of the Chief Executive Officer		Date
<b>Corporation Section (for corporations and limited liability companies)</b>				
Name of corporation		Before me personally appeared the signer of the above, who acknowledged himself/herself to be the authorized above-named officer (or managing member) of the above-named corporation, and that he/she being authorized to do so, executed this application for the purposes stated by signing the name of the corporation by himself/herself as the authorized officer. In witness thereof:		
Print the name of the authorized officer		Subscribed and sworn to before me this _____ day of _____, _____.		
Signature of the authorized officer		County _____ State _____		
Date		Print name of notary public _____		
		Signature of notary public _____		
		Date commission expires _____		
		AFFIX CORPORATE SEAL (Corporations only)		
		AFFIX NOTARY PUBLIC SEAL		


<p><b>DETAILS OF OWNERSHIP</b></p> <div> <input type="checkbox"/> Architectural Services         <input type="checkbox"/> Architectural and Closely Allied Professional Services       </div>			
Designation:*	D = Director	M = Manager or Member P = Principal Stockholder	O = Officer A = All designations
Please specify if more than one designation is applicable.			

I certify that I am familiar with the laws and regulations governing the practice of architecture in New Jersey. I am aware that the Certificate of Authorization may be revoked if any agent, employee, director or officer of the corporation or manager or member of a limited liability company violates or causes to be violated any provisions of those laws or regulations.

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[illegible]

Use an additional sheet of paper if necessary.

Total shares issued and outstanding.  Issued: _____ Outstanding: _____	
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FOR OFFICE USE ONLY	
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<input type="checkbox"/> Approved  <input type="checkbox"/> Not approved	Fee _____  Comments _____	Certificate of Authorization number _____
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Signed \_\_\_\_\_ Date issued \_\_\_\_\_

education subjects related to safeguarding life, health, and property and promoting the public welfare. The term includes the application of human values and aesthetic principles to the science and technology of structural design or evaluation; building methods, materials, and engineering systems; construction codes; construction-related standards; fire protection; means of egress; and barrier-free accessibility.

"Human use or habitation" means the activities of living, including, but not limited to, fulfilling domestic, religious, education, recreational, employment, assembly, health care, institutional, memorial, financial, commercial, industrial and governmental needs.

"Human values" means the social, cultural, historical, economic and environmental influences that have an impact on the quality of life.

"Interior design services" means rendering or offering to render services, for a fee or other valuable consideration, in the preparation and administration of interior design documents, including, but not limited to, drawings, schedules and specifications which pertain to the design intent and planning of interior spaces, including furnishings, layouts, non-load bearing partitions, fixtures, cabinetry, lighting location and type, outlet location and type, switch location and type, finishes, materials and interior construction not materially related to or materially affecting the building systems, in accordance with applicable laws, codes, regulations and standards.

"Licensee" means a person who has been granted licensure by the New Jersey State Board of Architects.

"Limited liability company (LLC)" means a business corporation organized in compliance with the Limited Liability Company Act, N.J.S.A. 42:2B-1 et seq., to engage in and carry on any lawful business, purpose or activity which combines the attributes of both corporation and partnership, and provides the limited liability generally associated with a corporation and the Federal tax treatment of a partnership.

"Limited liability partnership (LLP)" means an association of two or more persons to carry on as owners of a business for profit, which partnership is formed pursuant to an agreement governed by the laws of this State, registered pursuant to N.J.S.A. 42:1-44 and in compliance with N.J.S.A. 42:1-45.

"Office of a registered architect in private practice" means an organization which offers architectural service, is in the responsible charge of a registered architect(s) who is/are the principal owner or owners of the organization, and has no affiliate engaged in construction activities.

"Organization or affiliate engaged in construction" means one which undertakes to provide labor and/or material for all or any portion of a construction project, whether on lump sum, cost plus or other basis of compensation; and agrees to

guarantee to a property owner the maximum construction cost for all or any significant portion of a construction project.

"Person" means any individual, partnership, corporation or any other business entity.

"Principal" means a registered architect who is an owner in whole or in part of any business entity authorized by law to offer or render architectural services.

"Responsible charge" means the rendering of regular and effective supervision by a competent licensed architect to those individuals performing services which directly and materially affect the quality and competence of architectural services rendered by the licensee.

Administrative Correction.

See: 27 N.J.R. 2009(a).

Amended by R.1998 d.417, effective August 17, 1998.

See: 30 N.J.R. 1511(a), 30 N.J.R. 3061(a).

In "Certificate of Authorization", added "or a limited liability company" preceding "to permit"; and added new "Limited liability company (LLC)" and "Limited liability partnership (LLP)" definitions.

Amended by R.2000 d.103, effective March 20, 2000.

See: 32 N.J.R. 10(a), 32 N.J.R. 1029(a).

In "Advertisement" substituted "telephone, television, Internet, or other electronic media" for "telephonic or communication" following "radio"; and in "Limited liability company (LLC)", substituted "which" for ". The LLC is considered a hybrid entity that" following "activity".

Amended by R.2000 d.135, effective April 3, 2000.

See: 31 N.J.R. 1893(a), 32 N.J.R. 1217(a).

Inserted "Continuing education", "Continuing education ('CE') hour", "Health, safety and welfare programs or courses" and "Licensee".

Amended by R.2005 d.303, effective September 6, 2005.

See: 37 N.J.R. 869(a), 37 N.J.R. 3424(a).

Rewrote definitions "Advertisement", "Architectural services", "Closely allied professional" and "Person"; deleted definition "Advertiser"; added definitions "Architectural business association" and "Interior design services".

### 13:27-3.2 Scope of architectural service; advertising

(a) No person, except an architect licensed in the State of New Jersey, shall use the title "architect" or its substantial equivalent or otherwise represent to the public that the person is licensed to practice architecture in this State.

(b) Architects shall meet the following requirements concerning advertisements:

1. An advertisement shall include a term which is descriptive of the professional services to be rendered, such as "architect," "architectural," "architectural services," or the substantial equivalent thereof and may be made only by an architectural business entity authorized to render architectural services pursuant to N.J.S.A. 45:3-17 or 45:3-18.

2. An advertisement shall include the name and license number of an architect and, if applicable, the name of the architect's architectural business entity.

3. Each architect, who is a principal, partner, or officer of an architectural business entity, shall be responsible for

the form and content of any advertisement which offers to provide architectural services.

4. A copy of each advertisement shall be retained by each architect, who is a principal, partner or officer of an architectural business entity, for a period of three years from the date of the last authorized publication or dissemination of the advertisement and shall be made available for review upon request by the Board.

5. Any architect or architectural business entity which uses an advertisement containing false or misleading information or which fails to meet the requirements set forth in this subsection shall be deemed to be engaged in professional misconduct.

(c) A builder registered pursuant to the "New Home Warranty and Builder's Registration Act" (N.J.S.A. 46:3B-1 et seq.) or a home improvement contractor may advertise, or offer to perform "design services" either in the construction of one- to two-family homes or in connection with the demolition, enlargement or alteration thereto. A builder or home improvement contractor shall render such services only to the owner-occupant of such dwellings.

(d) An advertisement for design services by a builder or home improvement contractor pursuant to (c) above shall not in any way be limited except as set forth in (e) below, and may contain the following terms or their substantial equivalent:

1. Construction design services;
2. Design;
3. Design services;
4. Design/build;
5. Design/build services; and/or
6. Building design services.

(e) Builders and home improvement contractors shall not advertise, offer or perform design services that involve the preparation of construction documents, which consist of, but are not limited to, those drawings or specifications necessary to support an application for building or other construction permits.

(f) It shall be permissible for a person not authorized to render architectural services to utilize the terms "space planning," "interior design," "interior design services" or the substantial equivalent thereof provided that the design services advertised, offered or performed:

1. Are limited to the function of the interior space within an existing or proposed building;
2. Do not affect the means of egress and life safety of the building, nor involve any alteration or modifications of the building's existing or proposed structure, seismic integrity, or partitions that affect the means of egress and

life safety, or its electrical, mechanical, HVAC (heating, ventilation and air conditioning) or plumbing systems;

3. Do not require or involve the skill, training or expertise of a licensed architect; and

4. Do not include the production of construction documents, which consist of, but are not limited to, those drawings or specifications necessary to support an application for a building or other construction permit.

(g) An architect is permitted to render architectural services as an agent, director, member, officer, shareholder, associate, employee or partner of a person whose principal business is space planning services, interior design services or the substantial equivalent thereof if the architect, at all times, exercises independent professional judgment in the rendering of architectural services and adheres to the requirements set forth in N.J.S.A. 45:3-1 et seq. and this chapter.

(h) Nothing in this section shall prohibit any person or entity authorized by law to render professional engineering services from utilizing the terms set forth in (d) above in connection with the advertising of professional engineering services.

Amended by R.1998 d.417, effective August 17, 1998.  
See: 30 N.J.R. 1511(a), 30 N.J.R. 3061(a).

Rewrote (b).

Amended by R.2005 d.303, effective September 6, 2005.  
See: 37 N.J.R. 869(a), 37 N.J.R. 3424(a).

Rewrote (b); in (c), substituted "46:3B-1 et seq." for "46B-1"; added (g); recodified former (g) as (h).

### 13:27-3.3 Single family exemption

(a) In accordance with N.J.S.A. 45:3-10, any person in this State may act as a designer of a detached single family dwelling and appurtenances thereto to be constructed by that person solely as a residence for that person or member of that person's immediate family.

(b) A person may design the dwelling and all appurtenances thereto, prepare the construction drawings and file the construction drawings with an affidavit indicating the name of the person who drew the construction drawings.

(c) In lieu of personally preparing the construction drawings, a person may utilize pre-prepared (commercially published, available to the public) construction drawings which bear a certification that they were originally prepared by an architect licensed in any United States' jurisdiction, provided these construction documents are reviewed, signed, sealed and adapted to the specific site by a New Jersey licensed architect. By signing and sealing these construction documents, the New Jersey licensed architect assumes full responsibility for said construction documents, just as if the construction documents were prepared under the direct supervision of the architect.

(d) A person, in lieu of personally constructing the residence, may engage others to perform the work.



**13:27-3.4 (Reserved)**

Repealed by R.2005 d.303, effective September 6, 2005.  
 See: 37 N.J.R. 869(a), 37 N.J.R. 3424(a).  
 Section was "Impersonal names".

**13:27-3.5 Restrictions in titles**

(a) A sole proprietorship shall not be conducted under a title which designates or suggests the existence of more than a single principal.

(b) The term "Associates," when used officially in the title of a firm, shall refer only to more than one individual licensed in this State as architects or in a closely allied licensed profession.

(c) When any partner, shareholder, associate, member or other licensed professional whose name is used in the title ceases to be a member of a firm or partnership for any reason including death or disability, then the title of the firm shall be changed within two years of this disassociation. This requirement does not apply to an organization established as a professional service corporation pursuant to N.J.S.A. 14A-17.1, or a corporation or a limited liability company authorized to practice architecture following issuance of a Certificate of Authorization pursuant to N.J.A.C. 13:27-4.8.

Amended by R.1998 d.417, effective August 17, 1998.

See: 30 N.J.R. 1511(a), 30 N.J.R. 3061(a).

In (c), added "member" following "associate" in the first sentence and rewrote the last sentence.

Amended by R.2005 d.303, effective September 6, 2005.

See: 37 N.J.R. 869(a), 37 N.J.R. 3424(a).

In (c), deleted "general business" preceding "corporation" and substituted "N.J.A.C. 13:27-4.8" for "N.J.S.A. 45:3-18".

**13:27-3.6 Notification of change of address; service of process**

(a) A licensed architect shall notify the Board in writing of any change from the address currently registered with the Board and shown on the most recently issued certificate. Such notice shall be sent to the Board by certified mail, return receipt requested, no later than 30 days following the change of address. Failure to notify the Board of any change of address may result in disciplinary action in accordance with N.J.S.A. 45:1-21(h).

(b) Service of an administrative complaint or other Board-initiated action at a licensee's address which is currently on file with the Board shall be deemed adequate notice for the purposes of N.J.A.C. 1:1-7.1 and the commencement of any disciplinary proceedings.

SUBCHAPTER 4. LICENSING REQUIREMENTS;  
 BIENNIAL RENEWAL; CERTIFICATES OF  
 AUTHORIZATION

**13:27-4.1 Requirements for admission to examination**

(a) No applicant shall be entitled to consideration for admission to the examination for licensure, or shall be permitted

to take the examination, while a formal complaint is pending in which the individual is charged with the illegal practice of architecture or while penalties for violations of the Board's statutes and regulations remain unsatisfied.

(b) No later than 60 days prior to the examination, an applicant shall present evidence to the satisfaction of the Board that:

1. The applicant is 18 or more years of age and of good moral character, as established by references from individuals, schools and other sources acceptable to the Board which attest to the applicant's good moral character;

2. Except as set forth in N.J.A.C. 13:27-4.2, the applicant holds a professional degree in architecture from a college or university whose degree program has been accredited by the National Architectural Accrediting Board (NAAB) not later than two years after graduation; and

3. The applicant has completed at least three years in the Intern Development Program (IDP) administered by the National Council of Architect Registration Boards (NCARB) or, at his or her expense, has had his or her experience evaluated by NCARB or any other Board designee and such experience is found to be equivalent. In the event that the Board's designees are unable to evaluate the applicant's experience, the Board shall evaluate the experience. The three years of experience cannot be attained in less than 36 calendar months.

Amended by R.2000 d.103, effective March 20, 2000.

See: 32 N.J.R. 10(a), 32 N.J.R. 1029(a).

In (b), substituted "sources" for "records" following "and other" and added "which attest to the applicant's good moral character" at the end of 1, and rewrote 3; and added new (c).

Amended by R.2005 d.303, effective September 6, 2005.

See: 37 N.J.R. 869(a), 37 N.J.R. 3424(a).

In (b), rewrote 3; deleted (c).

**13:27-4.2 Applicant with a degree from a college or university not accredited by NAAB**

(a) An applicant with a degree from a college or university that is not accredited by the National Architectural Accrediting Board (NAAB) shall obtain, at his or her own expense, and submit to the Board, either:

1. A "Detailed" evaluation by Education Credential Evaluators, Inc., or other evaluation services recognized by the Board certifying that the degree is the equivalent in level, scope and intent of a bachelor or a master degree of architecture that would be accredited in the United States; or

2. If the "Detailed" evaluation does not certify equivalency, a "Comprehensive" evaluation outlining specific academic deficiencies. The application will not be considered until those academic requirements are completed.

Amended by R.2005 d.303, effective September 6, 2005.

See: 37 N.J.R. 869(a), 37 N.J.R. 3424(a).

New Rule by R.2005 d.303, effective September 6, 2005.  
 See: 37 N.J.R. 869(a), 37 N.J.R. 3424(a).  
 Section was reserved.

### 13:27-4.8 Issuance of certificates of authorization

(a) Upon review and approval by the Board of a completed application, the Board shall issue a certificate of authorization to a limited liability company (LLC) or a corporation, other than a professional service corporation established pursuant to the "Professional Service Corporation Act," P.L. 1969, c.232 (N.J.S.A. 14A:17-1 et seq.), if the LLC or corporation meets the following requirements:

1. At least two-thirds of the LLC's or corporation's directors are licensed architects and at least two-thirds of the ownership interest is owned by licensed architects; or

2. At least two-thirds of the directors are licensed architects and closely allied professionals, at least one director is a licensed architect, at least two-thirds of the ownership interest is owned by licensed architects or closely allied professionals, and a minimum of 20 percent of the shares are owned by licensed architects.

(b) In applying for a certificate of authorization, an applicant shall submit to the Board:

1. A completed application form designated by the Board which shall include, at a minimum, the following:

i. The name and address of the LLC or corporation and its satellite offices;

ii. The names, addresses, license numbers and signatures of all officers, board members, directors, principals and any licensees who shall be in responsible charge of the practice of architecture through the LLC or corporation;

iii. The names, addresses, license numbers, and amount and percentage of ownership interest of all stockholders of the LLC or corporation who are licensees of the Board or who are closely allied professionals;

iv. The names, addresses, and amount and percentage of ownership interest of the LLC or corporation who are not licensees of the Board nor closely allied professionals; and

v. The name and address of the LLC's or corporation's registered agent for service of process in New Jersey;

2. A certified copy of the Certificate of Formation or Incorporation for an LLC or corporation created in this State or, for an LLC or corporation created outside New Jersey, a certified copy of a Certificate of Authority issued by the Division of Revenue in the New Jersey Department of Treasury and a certified copy of the Certificate of Formation or Incorporation, or its equivalent, issued by the home state;

3. A copy of the most current annual report filed with the Division of Revenue in the New Jersey Department of Treasury; and

4. The application fee and certificate fee as set forth in N.J.A.C. 13:27-4.11.

(c) The certificate of authorization shall designate all New Jersey licensees who are in responsible charge of the architectural activities and decisions of the LLC or corporation. All final drawings, papers and documents involving the practice of architecture, when issued by the LLC or corporation or filed for public record, shall be signed and sealed by the New Jersey licensee who is in responsible charge of the work.

(d) The LLC or corporation that has been issued a certificate of authority and its licensees who are in responsible charge of the architectural activities and decisions of the LLC or corporation have a continuing duty to inform the Board within 14 days of any change in the information that was provided to the Board as required pursuant to (b) above, including a copy of each annual report filed with the Division of Revenue.

(e) Misrepresentation of any information provided to the Board or failure to provide updated information as required under (d) above may result in the suspension of the certificate of authority and/or may be deemed to be professional misconduct of the licensees found to be in responsible charge of the architectural activities and decisions of the LLC or corporation.

New Rule by R.2005 d.303, effective September 6, 2005.  
 See: 37 N.J.R. 869(a), 37 N.J.R. 3424(a).

Former N.J.A.C. 13:27-4.8 recodified as N.J.A.C. 13:27-4.3 and amended.

### 13:27-4.9 Biennial renewal of certificates of authorization

(a) All certificates of authorization issued by the Board shall be issued for a biennial period. An LLC or corporation seeking renewal of the certificate shall submit a completed renewal application, a copy of the current annual report filed with the Division of Revenue in the New Jersey Department of Treasury and the renewal fee as set forth in N.J.A.C. 13:27-4.11 prior to the expiration date of the license.

(b) The Board shall send a notice of renewal to each certificate holder at the address registered with the Board at least 60 days prior to the expiration of the certificate. If the notice to renew is not sent at least 60 days prior to the expiration date, no monetary penalties or fines shall apply to the certificate holder for failure to renew.

(c) If a certificate holder does not renew the certificate prior to its expiration date, the certificate holder may renew the certificate within 30 days of its expiration by submitting a completed renewal application, a copy of the current annual report filed with the Division of Revenue in the New Jersey

Department of Treasury, and the renewal fee and late fee as set forth in N.J.A.C. 13:27-4.11. During this 30-day period, the certificate shall be valid, and the certificate holder shall not be deemed to be engaged in unauthorized practice.

(d) A certificate of authorization that is not renewed within 30 days of its expiration shall be automatically suspended. An LLC or corporation, other than a professional service corporation established pursuant to the "Professional Service Corporation Act," P.L. 1969, c.232 (N.J.S.A. 14A:17-1 et seq.), that provides or advertises architectural services while its certificate of authority is suspended shall be in violation of N.J.S.A. 45:3-17.

(e) A certificate of authorization that has been automatically suspended for non-renewal may be reinstated upon the LLC or corporation submitting a completed reinstatement application, a copy of the current annual report filed with the Division of Revenue in the New Jersey Department of Treasury, and the renewal fee and reinstatement fee as set forth in N.J.A.C. 13:27-4.11.

New Rule by R.2005 d.303, effective September 6, 2005.

See: 37 N.J.R. 869(a), 37 N.J.R. 3424(a).

Former N.J.A.C. 13:27-4.9 recodified as N.J.A.C. 13:27-4.4.

#### 13:27-4.10 (Reserved)

Repealed by R.2005 d.303, effective September 6, 2005.

See: 37 N.J.R. 869(a), 37 N.J.R. 3424(a).

Section was "Registration by reciprocity".

#### 13:27-4.11 Fees

(a) The following fees shall be charged by the Board:

1.	Application Fee	\$ 50.00
2.	Initial License Fee	
	i. If paid during the first year of a biennial renewal period	160.00
	ii. If paid during the second year of a biennial renewal period	80.00
3.	Biennial Renewal Fee	
	i. Active Status	160.00
	ii. Inactive Status	(To be determined by the Director by rule)
4.	License by Credentials Application Fee (plus initial license fee)	75.00
5.	Replacement or Duplicate Seal Press	40.00
6.	Replacement Certificate Fee	25.00
7.	Late Fee	50.00
8.	Verification of Licensure	30.00
9.	Reinstatement Fee	100.00

(b) Certificate of Authorization fees shall be as follows:

1.	Application Fee	\$ 100.00
2.	Initial Certification	
	i. If paid in the first year of a biennial renewal period	500.00

ii. If paid in the second year of a biennial renewal period	250.00
3. Biennial Renewal	500.00
4. Late Fee	50.00
5. Reinstatement Fee	300.00

Administrative Correction.

See: 27 N.J.R. 2009(a).

Amended by R.2005 d.303, effective September 6, 2005.

See: 37 N.J.R. 869(a), 37 N.J.R. 3424(a).

Rewrote (a); deleted former (b); recodified former (c) as (b) and rewrote section.

#### 13:27-4.12 Scope of practice; home inspections

(a) An architect licensed by the Board of Architects may apply to the Board for certification of eligibility for licensure as a home inspector.

(b) The licensed architect shall submit to the Board an application provided by the Board and the application fee in the amount set forth in N.J.A.C. 13:40-15.23. The licensed architect shall document through submission of the application that the architect possesses the requisite training, education and experience to conduct home inspections specifically related to the following systems and components:

1. Structural components;
2. Exterior components;
3. Roofing system;
4. Plumbing system;
5. Electrical system;
6. Heating system;
7. Cooling system;
8. Interior component system;
9. Insulation system;
10. Ventilation system;
11. Fireplace system;
12. Solid fuel burning appliances or systems; and
13. Related residential housing component systems.

(c) The Board shall review the qualifications of the licensed architect to determine whether the architect is qualified to perform a home inspection pursuant to the requirements of (b) above. If the Board determines that the applicant is qualified to perform home inspections, the Board shall refer the application to the Home Inspection Advisory Committee which shall issue a home inspector license to the architect in accordance with the requirements of N.J.A.C. 13:40-15.

(d) Upon issuance of a home inspection license by the Committee, the architect shall be subject to the license fees set forth in N.J.A.C. 13:40-15.23 and shall perform home

Nothing herein contained shall prohibit students or employees of licensed architects from acting upon the authority of such licensed architects, whose certificates have not been revoked, suspended or forfeited, where said students or employees are under the immediate supervision of such licensed architect, or to prohibit any person in this State from acting as designer of a dwelling and all appurtenances thereto that are to be constructed by himself solely as a residence for himself or for a member or members of his immediate family.

Nothing herein contained shall prohibit: any builder registered pursuant to "The New Home Warranty and Builders' Registration Act," P.L.1977, c.467 (C.46:3B-1 et seq.), from advertising, offering or performing design services in the construction of one or two family detached homes; or any home improvement contractor from advertising, offering or performing design services to the owner occupants of one or two family detached dwellings in connection with demolitions, enlargements or alterations made thereto, until a time that it becomes necessary for either such a registered builder or a home improvement contractor to make application for a construction permit pursuant to the "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.).

No licensed architect shall permit his name to be used in connection with the name of any other person not licensed to practice architecture in this State in any advertisement, sign, card or device in such a manner as to indicate that such other person is a licensed architect.

Nothing herein contained shall prohibit professional engineers from designing buildings consistent with section 7 of the "Building Design Services Act," P.L.1989, c.277 (C.45:4B-7).

Nothing herein contained shall prohibit professional engineers from offering building design services consistent with section 7 or 8 of the "Building Design Services Act," P.L.1989, c.277 (C.45:4B-7 or 45:4B-8).

Amended 1943,c.75,s.3; 1945,c.262,s.2; 1950,c.249,s.2; 1957,c.42,s.4; 1967,c.289,s.4; 1989,c.275,s.3; 1993,c.35.

#### 45:3-16. Account and report of receipts and expenditures

An itemized account of all receipts and expenditures of the board shall be kept by its secretary, and a detailed report thereof each year, ending with April thirtieth, duly verified by affidavit of the secretary, shall be filed with the state comptroller within sixty days thereafter.

#### 45:3-17 Offering of architectural services; requirements.

a. Architectural services shall not be rendered or offered through any business associations other than a sole proprietorship of a licensed architect, a partnership of licensed architects, a partnership of closely allied professionals including at least one licensed architect, a professional service corporation established pursuant to the "Professional Service Corporation Act," P.L.1969, c.232 (C.14A:17-1 et seq.), a

corporation authorized pursuant to section 5 of P.L.1989, c.275 (C.45:3-18) or as prescribed in the "Building Design Services Act," P.L.1989, c.277 (C.45:4B-1 et seq.).

b. Nothing in this section shall prohibit a licensed architect from rendering architectural services as an agent, director, member, officer, shareholder, associate, employee or partner of a person whose principal business is space planning services, interior design services or the substantial equivalent thereof; provided that the architect, at all times, exercises independent professional judgment in the rendering of architectural services, and adheres to the standards set forth in section 1 of P.L. 1989, c. 275 (C.45:3-1.1).

L.1989, c.275, s.4; amended 1997, c.403, s.2.

#### **45:3-18. Certificate of authorization to offer architectural services**

The board shall issue a certificate of authorization to certain corporations and those corporations shall be authorized to offer architectural services as follows:

a. A corporation may offer to provide architectural services in this State if: (1) two-thirds (2/3) of the directors are licensed architects; and, (2) two-thirds (2/3) of the shares of stock are owned by licensed architects. This subsection shall not apply to a professional service corporation established pursuant to the "Professional Service Corporation Act," P.L.1969, c.232 (C.14A:17-1 et seq.).

b. A corporation may offer to provide architectural and closely allied professional services in this State if: (1) at least two-thirds (2/3) of the directors are licensed architects and closely allied professionals; (2) at least one director is a licensed architect; (3) two-thirds (2/3) of the shares are owned by licensed architects or closely allied professionals; and, (4) a minimum of 20% of the shares are owned by licensed architects. This subsection shall not apply to a professional service corporation established pursuant to the "Professional Service Corporation Act," P.L.1969, c.232 (C.14A:17-1 et seq.).

The certificate of authorization shall designate a New Jersey licensee or licensees who are in responsible charge of the architectural activities and decisions of the corporation. All final drawings, papers or documents involving the practice of architecture, when issued by the corporation or filed for public record, shall be signed and sealed by the New Jersey licensee who is in responsible charge of the work.

L.1989, c.275, s.5.

#### **45:3-19. Application for certificate of authorization, renewal**

Prior to the issuance of a certificate of authorization, a corporation shall file with the board an application, on forms designated by the board, listing, where applicable, the name and address of the corporation and its satellite offices, and the name, address and signature of all officers, corporate board members, directors, principals and any licensees who shall be in responsible charge of the practice of architecture through the corporation, together with such other information as may be required by the board to ensure compliance with its regulations. The same information shall accompany the biennial



renewal fee. A change in any of this information shall be reported to the board within 30 days after the effective date of that change.

L.1989, c.275, s.6.

45:3-20. Records maintained by licensee

A licensee shall maintain such records as are reasonably necessary to establish that the licensee exercised regular and effective supervision of professional services of which such licensee was in responsible charge.

L.1989, c.275, s.7.

45:3-21. Rules, regulations

The board shall have the authority to review the professional conduct of any corporation authorized to offer architectural services under the provisions of P.L.1989, c.275 (C.45:3-1.1 et al.). In order to implement those provisions, the board may:

a. Establish by regulations adopted pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) a biennial renewal fee for the certificate of authorization.

b. Suspend, revoke, or refuse to renew the certificate of authorization of any corporation whose agent, employees, directors or officers violate, or cause to be violated, any of the provisions of this amendatory and supplementary act or chapter 8 of Title 45 of the Revised Statutes, in conformance with the provisions of P.L.1978, c.73 (C.45:1-14 et seq.).

c. Adopt such rules and regulations as required to carry out the provisions of this amendatory and supplementary act pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

L.1989, c.275, s.8.

45:3-22. Responsibility of corporation

No corporation shall be relieved of responsibility for the conduct or acts of its agents, employees or officers by reason of compliance with the provisions of this amendatory and supplementary act.

L.1989, c.275, s.9.

45:3-23. Powers, duties of board

Pursuant to the provisions of the "Building Design Services Act," P.L.1989, c.277 (C.45:4B-1 et seq.) the board:

a. May refer any complaint, question or controversy, involving the application of that act to the joint committee.